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APPLICATION NO.	FILING D	ATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/749,440	09/749,440 12/28/2000		Suk-Won Choi	8733.373.00	6061	
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1900 K STREET, NW WASHINGTON, DC 20006				DUONG, THOI V		
	•			ART UNIT	PAPER NUMBER	
	·			2871		
				DATE MAILED: 08/26/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. CHOLET AL.								
Examiner		Application No.						
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 00 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 00 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply secreted above is less fand hithy (20) days, as reply with the statisticy in no event, however, may a reply be limitely filled after St. (e) (MONTHS from the maining date of this communication. If the period for reply secreted with the mainter of the period for reply secreted with one, the mainter statistic yeard with early stay of white tests (e) (MONTHS from the maining date of this communication. If the period for reply secreted with the mainter of the maining date of this communication. If the period for reply secreted with the maining date of this communication, even if timely filled, may reduce any search of the date of the communication. A proper secreted by the Office later than three months after the mailing date of this communication, even if timely filled, may reduce any search of the maining date of this communication. A proper secreted with the practice under Ex part Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex part Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-10.12-18 and 20-22 is/are rejected. 7) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The proposed drawing correction filed on is/are; all proposed drawing (s) the file in abeyance. See 37 CFR 1.85(e). 11) The proposed drawing correction filed on is/are; all proposed drawing correction filed on is/are; all paper) [*]	09/749,440	CHOI ET AL.					
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of the may be existed under the provisions of 37 CR1 1.36(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period or nergy secretical source is set with this (90) days, a full so considered from the size of the communication or nergy secretical source is set to the time of the communication or new provisions of the communication or new provisions of the communication or new provisions and the communication or new provisions and the communication or new provisions and the communication of the communication or new provisions and the communication of the communication or new provisions and the communication of the communication or new provisions and the communication or new provisions or new provisions and the communication or new provisions and provisions and provisions and provisions and provisions and provisions and provisional application or new provisional application new provisional application new provisional application (new provisional application). The proposed drawing correction filed on provisional application new provisional application (new provis		ears on the cover sheet with	the correspondence address					
2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-10.12-18 and 20-22 is/are pending in the application. 4a) Of the above claim(s) is/are pending in the application. 4a) Of the above claim(s) is/are rejected. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) ☐ The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 19(e) (to a provisional application). a) ☐ The translation of the foreign language provisional application has been received. 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 19(e) (to a provisional application). Attachmentls 10 ☐ Interview	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). 	within the statutory minimum of thirty (3 reply and will expire SIX (6) MONTHS cause the application to become ABAN	be timely filed 0) days will be considered timely. S from the mailing date of this communication. DONED (35 U.S.C. § 133).					
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Art Unit: 2871

DETAILED ACTION

1. This office action is in response to the Response, Paper No. 15, filed July 09, 2003. Claims 1-10, 12-18 and 20-22 are currently pending in this application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-10, 12-18 and 20-22 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement for the same reasons set forth in the last office action.

Response to Arguments

4. Applicant's arguments filed 07/09/2003 have been fully considered but they are not persuasive.

Applicant argued that a *prima facie* case of nonenablement under 35 USC & 112 1st. paragraph has not been established. The Examiner disagrees with the Applicant's remarks because the Examiner has established a reasonable basis to question the enablement provided for the claimed invention in the last office action. That is "the composition of the ferroelectric liquid crystal (FLC) material which still maintains the smectic phase when the liquid crystal panel is cooled to –20 degrees to produce monostable alignment of ferroelectric liquid crystal, then substantially heated to room temperature." This composition of the FLC material, which is essential to support the claimed invention, is not disclosed by Applicant in the specification. As in "Novel

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Ferroelectric Liquid Crystal Mode for Active Matrix Liquid Crystal Display using Cholesteric-Chiral Smectic C phase Transition Material" (Applicant's IDS), Asao et al. discloses that the FLC composition used in the experiment was FLC-A, which consisted of hydrocarbon compounds having the phenyl-pyrimidine core. According to the phase sequences, the FLC-A became crystallized at -7.2 degrees C (see Experiments).

Applicant also argued that it cannot be reasonably presumed that all FLC material has crystallization temperature of –7.2 degrees C simply because of the teaching of Asao et al. and that crystalline phase transitions of various types of FLC occurs over a range of well documented temperatures. It should be noted that the reference of Asao et al. is used as specific evidence for disclosing the composition of FLC in the experiment. And because various types of FLC have crystalline phase transitions occurring over a range of well documented temperatures, the Examiner would like to know what type of FLC which still maintains the smectic phase when cooled to -20 degrees C. This information is missing in the specification.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (703) 308-3171. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (703) 305-3492.

Thoi Duong

08/23/2003

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